UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE

December 4,2007

Peter Holzapfel, General Manager
Florida Power and Light Energy – Bellingham Cogeneration Facility
P.O. Box 1213
92 Depot Street
Bellingham, MA 02019

Re: Clean Air Act Reporting Requirement, Docket No. AAA-08-0013

Dear Mr. Holzapfel:

The United States Environmental Protection Agency ("EPA") is evaluating whether the Bellingham Cogeneration Facility (the "Bellingham Plant") in Bellingham, Massachusetts, which is operated by Florida Power and Light ("FPL"), is in compliance with the Clean Air Act (the "Act") and state and federal regulations promulgated under the Act. The regulations include: the New Source Review ("NSR") regulations found at 310 CMR 7.00 Appendix A and 310 CMR 7.02 et. seq.; the federally enforceable regulations for Prevention of Significant Deterioration ("PSD") at 40 CFR § 52.21; the New Source Performance Standards for Stationary Gas Turbines found at 40 CFR Part 60, Subpart GG; and other applicable parts of the Massachusetts federally enforceable State Implementation Plan.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require a company to submit such information as EPA may reasonably require to determine its compliance with the Act. Therefore, within 30 days of the date FPL receives this reporting requirement, FPL is required to provide all of the information outlined below. Specifically, provide a separate numbered response to each numbered paragraph or subparagraph below. For paragraphs 2, 3, 6, and 7, provide the response in an electronic spreadsheet format. Spreadsheet templates, with a few sample data rows, are attached.

1. Provide the following information about FPL and the Bellingham plant:
    a. Describe the ownership and business structure;
    b. Indicate the date and state of incorporation;
    c. List any partners or corporate officers;
    d. List any parent and subsidiary corporations;
    e. Provide the number of employees at the facility; and
    f. Provide the net worth of the company (if net worth is not available, provide gross annual receipts since 2002).

2. Identify every hour, between May 4, 1992 and October 1, 2007 when either unit 1, unit 2, or the entire plant exceeded any pound per million British thermal unit ("lb/MMBtu") or pound per hour ("lb/hr") emission limit contained in the May 4, 1992 Plan Approval for nitrogen oxides ("NOx"), sulfur dioxide ("SO2"), particulate matter ("PM"), carbon monoxide ("CO"), volatile organic compounds ("VOCs"). These limits are identified in Table A. For every such hour:
    a. Identify the exceeding unit (1 or 2) or indicate that the exceedance was of a plant-wide limit;
    b. Identify each pollutant for which the unit and/or plant-wide emission limits were exceeded, and for each such pollutant, provide:
        i. the actual lb/MMBtu emissions for that hour;
        ii. the actual lb/hr emissions for that hour;
        iii. the lb/MMBtu emission limit;
        iv. the lb/hr emissions limit; and
        v. how the emissions were measured or calculated for that hour (e.g. Continuous Emission Monitoring Systems ("CEMS"), emission factor, etc).
    c. Indicate if the hour was part of a start-up period, a shut-down period, a fuel switch period, or normal operation period for that unit (note that start-up and shut-down periods are limited to a duration of 2 hours each); and
    d. Indicate the fuel(s) fired during that hour in the unit.

3. Identify every hour, between January 1, 1989 and May 3, 1992, when either unit 1 or 2 exceeded any lb/MMBtu emission limit contained in PSD permit CR-88-PSD-C-001 (proposed on 12/16/88 and issued on 2/1/89) for NOx, SO2, PM, CO, or VOCs. These limits are identified in Table B. For every such hour:
    a. Identify the exceeding unit (1 or 2);
    b. Identify each pollutant for which the unit emission limit was exceeded, and for each such pollutant, provide:
        i. the actual lb/MMBtu emissions for that hour;
        ii. the actual lb/hr emissions for that hour;
        iii. the lb/MMBtu emission limit; and
        iv. how the emissions were measured or calculated for that hour (e.g. CEMS, emission factor, etc).
    c. Indicate if the hour was part of a start-up period, a shut-down period, a fuel switch period, or normal operation period for that unit (note that start-up and shut-down periods are limited to a duration of 2 hours each); and
    d. Indicate the fuel(s) fired during that hour in the unit.

4. Provide total annual emissions, in tons, for each calendar year from 1990 through 2006, for each unit (1 and 2) for NOx, SO2, CO, PM, and VOCs. Explain how the emissions for each pollutant were measured or calculated (e.g. CEMS, emission factor, etc).

5. If the emissions values reported in 2.b.v., 3.b.iv., or 4, above did not come from CEMS, provide:

a. The source of the emission factor (including date of any relevant stack test or publication and a copy of the stack test report or publication); and
b. A sample calculation.

6. List every 1-minute period between January 1, 1989 and October 1, 2007 during which the opacity from unit 1 or unit 2 exceeded 10 percent. For each such period:
   a. Identify the unit (1 or 2);
   b. Provide the actual opacity for the unit;
   c. Explain how the emissions were measured (e.g. Continuous Opacity Monitoring Systems ("COMS"), Method 9 observation, etc);
   d. Indicate if the hour was part of a start-up period, a shut-down period, a fuel-switch period, or normal operation period for that unit (note that start-up and shut-down periods are limited to a duration of 2 hours each); and
   e. Indicate the fuel(s) fired during that hour in that unit.

7. Identify every hour, between May 4, 1992 and October 1, 2007 when the heat input to either unit 1 or 2 exceeded 1280 MMBtu/hr (if firing natural gas) or 1236 MMBtu/hr (if firing oil). For each such hour:
   a. Identify the unit (1 or 2);
   b. Provide the actual MMBtu/hr input for the unit; and
   c. Indicate the fuel(s) fired during that hour in the unit.

8. Provide total annual heat input (in MMBtu/hr) for each unit (1 and 2) for each calendar year from 1990 through 2006.

9. Provide total annual operating hours for each unit (1 and 2) for each calendar year from 1990 through 2006.

10. For each Start-up, Shut-down, or Malfunction ("SSM") period identified in items 2, 3, or 6, above, provide a brief description of the episode. Indicate if it was a start-up, shut-down, or malfunction and provide copies of the relevant pages from the "operating and maintenance log books." Provide information regarding the FPL's efforts to reduce or minimize emissions at the Bellingham plant during these SSM periods.

11. Provide copies of all correspondence with state and federal environmental agencies since 1989 regarding emissions of air pollution, including copies of:
   a. The Bellingham plant's Title V permit, semi-annual reports, annual compliance certifications;
   b. All permit applications including any requests for permit modifications;
   c. Copies of the underlying data related to the self disclosure that the Bellingham plant submitted to EPA in August 2004; and
   d. Any correspondence that FPL or the Bellingham plant had with EPA or Massachusetts Department of Environmental Protection ("DEP") that discuss possible emission exceedances, changes, or potential changes to the emissions profile of the facility.

Be aware that if FPL does not provide the requested information, EPA may order FPL to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Federal law also establishes criminal penalties for providing false information to EPA. This reporting requirement is not subject to Office of Management and Budget review under the Paperwork Reduction Act.

FPL may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Note that certain categories of information are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to FPL. Please be aware that the Commonwealth of Massachusetts may have different rules and regulations governing the protection of confidential business information.

You are required to submit the above-required information to:

Susan Studlien, Director
Office of Environmental Stewardship (Mail Code SAA)
U.S. Environmental Protection Agency, Region I
One Congress Street, Suite 1100
Boston, Massachusetts 02114-2023
Attn: Rebecca Kurowski, Air Technical Unit

And to:

John Kronopolus, Compliance and Enforcement Chief
Massachusetts Department of Environmental Protection – Central Regional Office
627 Main Street
Worcester, Massachusetts 01608

If you have any questions regarding this reporting requirement, please Rebecca Kurowski at (617) 918-1863 or have your attorney call Thomas T. Olivier, Senior Enforcement Counsel at (617) 918-1737.

Sincerely,

Dan Silverman, acting for

Susan Studlien, Director
Office of Environmental Stewardship
U.S. EPA Region 1

Enclosures

Cc: John Kronopolus, MassDEP, Central Region

Table A: Selected Emission Limits from the May 4, 1992 Plan Approval
(Please see the Plan Approval itself for detailed information)

Pollutant	Limit Type	Fuel	Limit	Units
SO2	Each turbine	Natural gas	0.0016	Lb/MMBtu
NOx	Each turbine	Natural gas	0.0859	Lb/MMBtu
PM	Each turbine	Natural gas	0.0047	Lb/MMBtu
CO	Each turbine	Natural gas	0.0516	Lb/MMBtu
VOC	Each turbine	Natural gas	0.0043	Lb/MMBtu
SO2	Plant-wide total	Natural gas	4.0	Lb/hr
NOx	Plant-wide total	Natural gas	220.0	Lb/hr
PM	Plant-wide total	Natural gas	12.0	Lb/hr
CO	Plant-wide total	Natural gas	132.0	Lb/hr
VOC	Plant-wide total	Natural gas	11.0	Lb/hr
SO2	Each turbine	Distillate oil	0.2136	Lb/MMBtu
NOx	Each turbine	Distillate oil	0.1497	Lb/MMBtu
PM	Each turbine	Distillate oil	0.0647	Lb/MMBtu
CO	Each turbine	Distillate oil	0.3277	Lb/MMBtu
VOC	Each turbine	Distillate oil	0.0151	Lb/MMBtu
SO2	Plant-wide total	Distillate oil	528.0	Lb/hr
NOx	Plant-wide total	Distillate oil	370.0	Lb/hr
PM	Plant-wide total	Distillate oil	160.0	Lb/hr
CO	Plant-wide total	Distillate oil	810.0	Lb/hr
VOC	Plant-wide total	Distillate oil	37.4	Lb/hr

Table B: Selected Emission Limits from PSD permit CR-88-PSD-C-001
(Please see the permit itself for detailed information)

Pollutant	Limit Type	Fuel	Limit	Units
SO2	Each turbine	Natural gas	0.0016	Lb/MMBtu
NOx	Each turbine	Natural gas	0.088	Lb/MMBtu
PM	Each turbine	Natural gas	0.0048	Lb/MMBtu
CO	Each turbine	Natural gas	0.053	Lb/MMBtu
VOC	Each turbine	Natural gas	0.0044	Lb/MMBtu
SO2	Each turbine	Distillate oil	0.22	Lb/MMBtu
NOx	Each turbine	Distillate oil	0.16	Lb/MMBtu
PM	Each turbine	Distillate oil	0.067	Lb/MMBtu
CO	Each turbine	Distillate oil	0.34	Lb/MMBtu
VOC	Each turbine	Distillate oil	0.016	Lb/MMBtu

FPL Bellingham
Spreadsheet Template for Paragraph 2

Date	Hour Start Time	Hour End Time	Violating Unit / Plant	Violating Pollutant	Violated Limit	lb/hr limit	lb/hr actual	lb/MMBtu limit	lb/MMBtu actual	Fuel(s)	Hour Notes	Measurement / Calculation Method
3/15/2003	13:00	14:00	Unit 1	CO	lb/MMBtu	N/A	78.69	0.0516	0.061	gas	start up	CEM
8/22/2005	4:00	5:00	Unit 2	NOx	lb/MMBtu	N/A	115.584	0.0859	0.0896	gas	normal operation	CEM
8/22/2005	4:00	5:00	Plant	NOx	lb/hr	220	227	0.0859	0.0864	gas	normal operation	CEM

FPL Bellingham
Spreadsheet Template for Paragraph 3

Date	Hour Start Time	Hour End Time	Violating Unit	Violating Pollutant	Violated Limit	lb/hr actual	lb/MMBtu limit	lb/MMBtu actual	Fuel(s)	Hour Notes	Measurement / Calculation Method
3/15/1991	13:00	14:00	Unit 1	CO	lb/MMBtu	73.444	0.053	0.061	gas	start up	CEM
8/22/1991	4:00	5:00	Unit 2	NOx	lb/MMBtu	117.39	0.088	0.091	gas	normal operation	CEM

FPL Bellingham
Spreadsheet Template for Paragraph 6

Date	Minute Start Time	Minute End Time	Violating Unit	Actual Opacity	Fuel(s)	Minute Notes	Measurement / Calculation Method
3/15/1991	13:00:00	13:01:00	Unit 1	26%	gas	start up	COMS
8/22/2003	4:00:00	4:01:00	Unit 2	35%	gas	normal operation	COMS

FPL Bellingham
Spreadsheet Template for Paragraph 7

Date	Hour Start Time	Hour End Time	Violating Unit	Actual Heat Input (MMBtu/hr)	Fuel(s)	Hour Notes
3/15/2002	13:00	14:00	Unit 1	1295	gas	normal operation
8/22/2003	4:00	5:00	Unit 2	1310	gas	normal operation